

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 E/S 50th Street, 145 ft. S
 of c/l Fait Avenue * ZONING COMMISSIONER
 703 Fiftieth Street
 12th Election District * OF BALTIMORE COUNTY
 6th Councilmanic District
 George Roros, et ux * Case No. 96-152-A
 Petitioners

* * * * *

MOTION FOR RECONSIDERATION

The above captioned matter comes before the Zoning Commissioner on a Motion for Reconsideration of the written opinion and Order issued on December 19, 1995. Originally, the Petition for Variance was submitted by George Roros and Nicoletta Roros, property owners, for the subject site known as 703 Fiftieth Street. Variance relief was requested from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft. By opinion and Order of December 19, 1995, the requested relief was granted. Within 30 days of the date of that Order a request for reconsideration was made by Kenneth and Linda Heffler, neighboring property owners at 7401 Fait Avenue. Their request for reconsideration, dated December 28, 1995, alleges that the 0 ft. setback was inappropriate and that the variance should be denied.

I have, again, reviewed the file including the photographs, exhibits and other evidence presented at the hearing. Moreover, I visited the site and inspected both properties. The site inspection shows that the Roros property is a well maintained lot featuring a single family dwelling and existing driveway. As stated in my original opinion and corroborated by my site visit, the proposed location for the carport is the only appropriate location.

Upon further consideration and evaluation, I am not persuaded to change the original Order. I continue to believe that variance relief should be granted and that the Petitioners have complied with the standards set forth

ORDER RECEIVED FOR FILING

Date

By

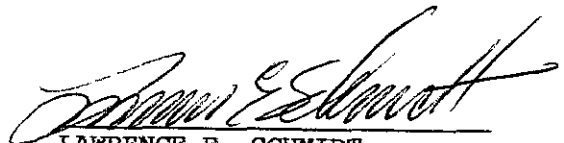
3/19/96
 M. Howard

in Section 307 of the BCZR and the case law. Moreover, requiring gutters and downspouts to be located on the carport so as to capture and direct the flow of water away from the Hefflers' yard is appropriate. Construction in this fashion will eliminate any adverse affect on the neighbors' property. For these reasons, I decline to amend or change my original opinion, and same is hereby re-adopted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of March 1996, that a variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the remainder of the Zoning Commissioner's opinion and Order issued on December 19, 1995, be and is hereby ratified and affirmed.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

ES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 15, 1996

Mr. and Mrs. Kenneth Heffler
7401 Fait Avenue
Baltimore, Maryland 21224

RE: Ruling on Motion for Reconsideration
Case No. 96-152-A
Property: 703 Fiftieth Street

Dear Mr. and Mrs. Heffler:

Enclosed please find a copy of my Ruling on Motion for Reconsideration rendered in the above captioned matter. The Motion for Reconsideration has been denied.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

c: Mr. and Mrs. George Roros
703 Fiftieth Street
Baltimore, Maryland 21224

c: Mr. Steve Bilis
2806 Munster Road
Baltimore, Maryland 21236



1IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 E/S 50th Street, 145 ft. S
 of c/l Fait Avenue * ZONING COMMISSIONER
 703 Fiftieth Street
 12th Election District * OF BALTIMORE COUNTY
 6th Councilmanic District
 George Roros, et ux * Case No. 96-152-A
 Petitioners
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 703 Fiftieth Street in the Dundalk section of Baltimore County. The Petition is filed by George Roros and Nicoletta Roros, property owners. Variance relief is requested from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No., 1, the plat to accompany the Petition for Variance.

This matter was originally filed as an administrative variance, pursuant to Section 26-127 of the Baltimore County Code. That section permits the Zoning Commissioner to grant variance relief from the strict application of the provisions of the Baltimore County Zoning Regulations without a public hearing for certain owner occupied residential lots. The subject property is residentially zoned (D.R.5.5) and is improved with an occupied single family dwelling. Thus, application was made by the property owners for residential variance relief. Following this application, the property was posted as required. Within the posting period, a request for public hearing was made by Kenneth and Linda Heffler, neighboring property owners at 7401 Fait Avenue. Thus, pursuant to the provisions of Section 26-127 of the Code, a public hearing was convened to consider this matter.

ORDER RECEIVED FOR FILING

Date

By

2/29/95
M. M. M. M.

Appearing at the requisite public hearing held for this case were the Petitioners/property owners. Appearing in support of the request were Steve Bilis and George J. Moniodis. Appearing in opposition to the request were the aforementioned Kenneth and Linda Heffler.

Testimony and evidence submitted at the hearing disclosed that the subject property is .14 acres in area (6,250 sq. ft) zoned D.R.5.5. This is a residential lot 50 ft. wide and 125 ft. in depth in Dundalk. The property is improved with a single family dwelling which is attractively maintained. Vehicular access to the site is by way of a concrete driveway.

The Petitioners propose constructing a carport adjacent to the dwelling over top of the existing driveway. The carport will be wide enough to accommodate a single vehicle and extend over the entire width of the driveway. In that the driveway abuts the property line, the requested variance is necessary.

The Petitioners indicated that the driveway was necessary because they are elderly and wish to avoid the inclement weather. It was indicated that the Petitioners are physically unable to clear their car of snow and ice and that the proposed carport will assist them in this regard.

Mr. and Mrs. Heffler, the Protestants, testified that the carport would be too close to their property. They reside at 7401 Fait Avenue. Their yard backs up to the Petitioners' property line and the carport will be situated along their real property line. Photographs submitted show that a retaining wall has been constructed along the rear property line and that the Hefflers' property slopes downward from the retaining wall. The Hefflers are also concerned about potential storm water runoff.

Based on the testimony and evidence submitted, I am persuaded to grant the Petition for Variance. Clearly the carport cannot be constructed elsewhere on the lot. Construction of a carport which within the

required 7.5 ft. setback would be impractical and serve no purpose. I am persuaded that the Petitioners have satisfied the burden to obtain variance relief set forth in Section 307.1 of the BCZR.

Nonetheless, I am convinced that the variance relief should be conditioned to ensure that there will be no adverse impact on the neighbors' property. In this regard, I will require the Petitioners to install the appropriate storm drains and downspouts to collect and direct rain water away from the Hefflers' property. It appears from the photographs submitted that the water could be routed to the Petitioners' driveway and, therefrom, to Fiftieth Street and the public storm drain therein. All permits to be issued in connection with this shall so note this restriction and required adherence thereto.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19TH day of December, 1995 that a variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

Date

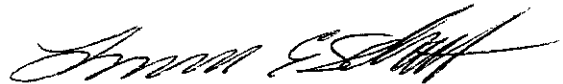
By

2. The proposed carport shall be constructed with rain gutters and downspouts as are necessary to ensure collection and dispersion of water away from neighboring properties.

3. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES/mmn



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 18, 1995

Mr. and Mrs. George Roros
703 Fiftieth Street
Baltimore, Maryland 21224

RE: Case No. 96-152-A
Petition for Zoning Variance
Location: 703 Fiftieth Street

Dear Mr. and Mrs. Roros:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

cc: Mr. and Mrs. Kenneth Heffler, 7401 Fait Avenue, Balto.Md. 21224
cc: Mr. Steve Bilis, 2806 Munster Road, Baltimore, Maryland 21236



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 703 FIFTIETH ST
which is presently zoned D.R.S.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEC 1302.3.C1. & 30.1A TO ALLOW AN OPEN DRIVEWAY
(CARPORT) A SETBACK OF 0' IN LIEU OF THE REQUIRED 7.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) WE ARE IN OUR LATE 60'S AND WITH PHYSICAL AILMENTS ACCOMPANYING ARE MATURITY. THE REASON FOR THE VARIANCE IS TO ENABLE US TO BUILD A 14X43 CARPORT. THIS WILL ALLOW US TO ACCESS OUR DRIVEWAY DURING INCLEMENT WEATHER, SUCH AS A SNOW STORM. IN THE PAST A SNOW STORM WOULD IMMOBILIZE US FOR

Property is to be posted and advertised as prescribed by Zoning Regulations. MONTHS AT A TIME.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address:

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted is:

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: CAM DATE 130495

ESTIMATED POSTING DATE

10.22.95

Printed with Soybean Ink
on Recycled Paper

ITEM #: 160

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 703 FIFTIETH ST
address
BALTIMORE MD 21224
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

WE ARE IN OUR LATE 60'S AND WITH PHYSICAL
AILMENTS ACCOMPANYING ARE MATURITY. THE REASON
FOR THE VARIANCE IS TO ENABLE US TO BUILD A
14X43 CARPORT. THIS WILL ALLOW US TO ACCESS
OUR DRIVEWAY DURING INCLEMENT WEATHER, SUCH AS A
SNOW STORM. IN THE PAST A SNOW STORM WOULD IMMOBILIZE
US FOR MONTHS AT A TIME

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

George Roros
(signature)

(type or print name)



Nicoletta Roros
(signature)

NICOLETTA ROROS
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of OCTOBER, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

GEORGE ROROS & NICOLETTA ROROS

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

10/5/95
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 9/14/95



Petition for Administrative Variance

96-152-A
to the Zoning Commissioner of Baltimore County

for the property located at 703 FIFTIETH ST
which is presently zoned D.R.S.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEC. 1 B02.3.C1 & 301-1A TO ALLOW AN OPEN
PROTECTION (CARPORT) A SETBACK OF 0' IN LIEU OF
THE REQUIRED 7.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

WE ARE IN OUR LATE 60'S AND WITH PHYSICAL AILMENTS
ACCOMPANYING AGE MATURITY. THE REASON FOR THE VARIANCE IS TO
ENABLE US TO BUILD A 14X43 CARPORT. THIS WILL ALLOW US TO
ACCESS TO OUR DRIVEWAY DURING INCLEMENT WEATHER, SUCH AS A
SNOW STORM. IN THE PAST A SNOW STORM WOULD IMMOBILIZE US FOR MONTHS
AT A TIME.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____

ESTIMATED POSTING DATE: _____

Printed with Soybean Ink
on Recycled Paper

ITEM #: 160

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-152-H

District: 1st

Posted for: Donors

Date of Posting: 11/28/95

Petitioner: George F. Nico Rows

Location of property: 703 30th St

Location of Sign: Facing 220 & 404 on property. Both sides

Remarks: _____

Posted by: M. Kelly

Signature

Number of Signs: 1 Date of return: 12/1/95

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Offices Building, 111 W. Chesapeake Avenue, in Towson, Maryland, 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #98-152-A
(Item 150)

703 Fifth Street
E/S 50th Street, 145' S of c/c
Fall
12th Election District
6th Councilmanic
Legal Owner(s):
George Foras and Nicoletta

Roros
Hearing: Monday, December
11, 1995 at 9:30 a.m. in Rm.
118, Old Courthouse.

Variance: to allow an open
projection (carport) a setback
of zero feet in lieu of the re-
quired 7.5 feet.

LAVRENCE E. SCHMIDT
Zoning Commissioner for

Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible, for
Special accommodations
Please Call 887-3353.
(2) For information concern-
ing the file and/or Hearing,
Please Call 887-3391.

11/26/91 Nov. 30. 619581

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/1, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/30, 1995.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE 13 Oct 95 ACCOUNT R-001-6150

244160

AMOUNT \$ 85.00

RECEIVED
FROM:

Steve B. - 15

96-152-A

FOR:

ADM. VARIANCE 703 50th St

for ROROS

0200280140M714RC

01-00101244415-13-95

855-010115

1000000-1000000

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 160 Petitioner: George + Nicoletta ROROS
Location: 703 FIFTIETH STREET

PLEASE FORWARD ADVERTISING BILL TO:

NAME: GEORGE ROROS
ADDRESS: 703 FIFTIETH ST
BALTIMORE, MD 21224
PHONE NUMBER: 282-4851



TO: PUTTUXENT PUBLISHING COMPANY

November 30, 1995 Issue - Jeffersonian

Please forward billing to:

George and Nicoletta Roros
703 Fiftieth Street
Baltimore, MD 21224
282-4851

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-152-A (Item 160)
703 Fiftieth Street
E/S 50th Street, 145' S of c/l Falt
12th Election District - 6th Councilmanic
Legal Owner: George Roros and Nicoletta Roros

Variance to allow an open projection (carport) a setback of zero feet in lieu of the required 7.5 feet.

HEARING: MONDAY, DECEMBER 11, 1995 at 9:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 21, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-152-A (Item 160)
703 Fiftieth Street
E/S 50th Street, 145' S of c/l Fait
12th Election District - 6th Councilmanic
Legal Owner: George Roros and Nicoletta Roros

Variance to allow an open projection (carport) a setback of zero feet in lieu of the required 7.5 feet.

HEARING: MONDAY, DECEMBER 11, 1995 at 9:30 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc:

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 27, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-152-A (Item 160)
703 Fiftieth Street
E/S 50th Street, 145' S of c/l Fait
12th Election District - 6th Councilmanic
Legal Owner: George Roros and Nicoletta Roros

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before October 22, 1995. The closing date (November 6, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: George and Nicoletta Roros
Steve Bilis



5242-95

10/25/95
↓
to fs

Dept. of Permits &
Development Mgmt.
111 W. Chesapeake Ave.
Towson, Md. 21204
Attn: Mr. Arnold Jablon

Mr. & Mrs. Kenneth Heffler
7401 Fait Ave.
Balto, Md. 21224

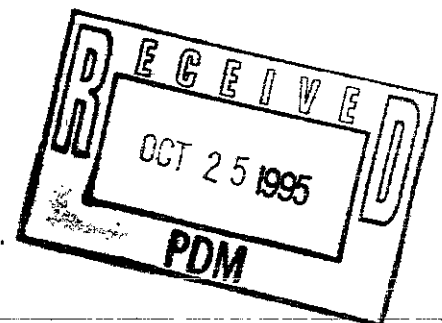
Dear Mr. Jablon,

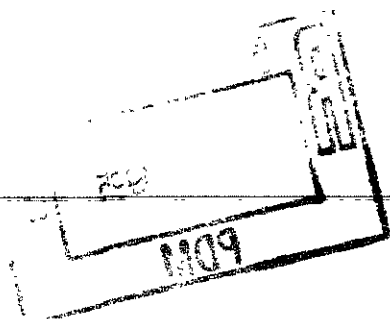
I'am requesting a hearing for the variance sign posted in the yard of 703 50th St. They are building a carport, it is on top of the retaining wall where the property line meets. It is too close. Our back yard meets their side yard. We have been in touch with the department of permits since the work was started and they sent a building inspector and the work had been stopped, they began the work again and were stopped again. I was wondering if building inspector could be there. I appreciate any assistance you could give us in this matter. I have never done this before, so if I'am lacking any information would you please let me know. Our # is (410)282-3353. I have enclosed a picture for you to see. Thanks for your help.

Sincerely,,

Mr. & Mrs. Heffler 10-23-95
Mr. & Mrs. Heffler

Case # 96-152-A





Baltimore County Zoning Commissioner
400 Washington Ave.
Towson, Md. 21204
Attn: Mr. Schmidt
Case # 96-152-A

December 28, 1995

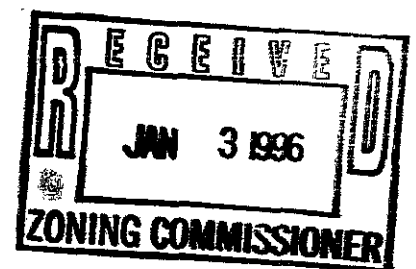
Dear Mr. Schmidt,

We are sending this letter to ask you to reconsider your decision on the variance. We know that the required 7.5 feet would make it impossible for the Roros to build their carport however we feel that a 0 setback is too close. As property owners ourselves we want a compromise of 1 1/2 to 2ft., we feel this is needed to protect our property from water damage, overhang into our yard and intrusion on us. When the law is 7.5 ft we feel it unfair that a 0 setback is given. Obviously the law felt it necessary for reason of protecting property owners and we are also property owners that should be able to have their needs met. We do not object to the Roros having their carport however we do object to a 0 setback.. We really do not wish to upset the Roros, we are sure that if properties were reversed they would feel the same way. We hope that you will reconsider this matter and protect our property rights also. Thank you for your time.

Sincerely,

Mr. & Mrs. Heffler

Mr. & Mrs. Heffler
7401 Fait Ave.
Baltimore, Md. 21224



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

GEORGE RABUS
STEVE BILIS
GEORGE J. MONIOPIS

703-50th ST
703-50th ST
703 S. 50th ST



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME
Kerwin H
M + Mylinda Hefner

FAIT
ADDRESS
7401 Ball Ave 21224



GRACELAND PARK SCALE 1" = 200'

(SHE

96-152-A
SE 2 E

E 25,300

WOODROW AVE.

HUDSON HEIGHTS

OAKLAWN

FAIT

AVENUE

49th

50th

SITE

D.R. 5.5

D.R. 10.5

48th

STREET

STREET

STREET

51st STREET

90-2-A

BL

BR

90-17-A

BL

47th STREET

CRESTSHIRE RD.

EDWARD AVE

D.R. 5.5

D.R. 16

STREET

160

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

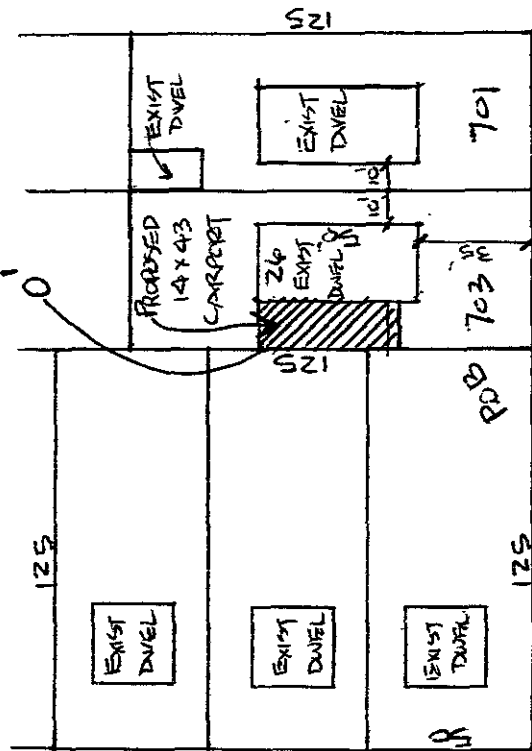
PROPERTY ADDRESS: 703 FIFTIETH ST

Subdivision name: GRACELAND PARK

plat book # 6, folio # 122, lot # 368, section # 4

OWNER: GEORGE & NICOLETTA ROSOS

96-152-A



FAIT AVE
40'

145' SF 4
FAIT AVE 50th STREET

50'

NOT A FLOOD
PLAIN, PERMIT

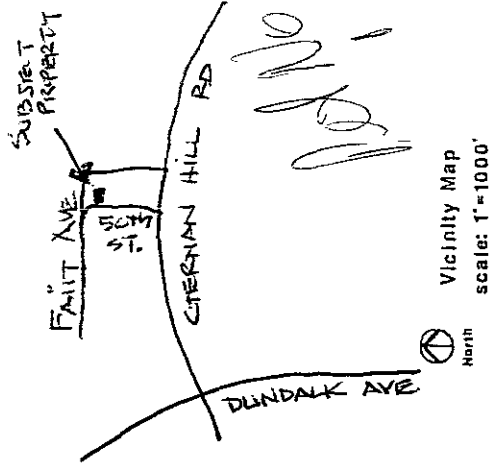
Scale of Drawing: 1" = 600'



North

date: 10/3/95

prepared by: SB



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: 12

Councilmanic District: 6

1"=200' scale map #: SE-2E

Zoning:

Lot size: 0.14 acreage 6,250 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☒ yes ☐ no
Prior Zoning Hearings: ☒ none

Zoning Office USE ONLY!

reviewed by: 160 ITEM #: 160 CASE#:

WE THE UNDERSIGNED DO NOT OBJECT TO THE CONSTRUCTION OF A 14' X 43' OPEN CARPORT, TO BE CONSTRUCTED AT 703 FIFTIETH STREET, BALTIMORE, MD 21224, EXTENDING NORTH 14' FROM THE EXISTING HOUSE TO THE PROPERTY LINE AS SHOWN ON THE PLAT PLAN ATTACHED.

12 Nov

Name

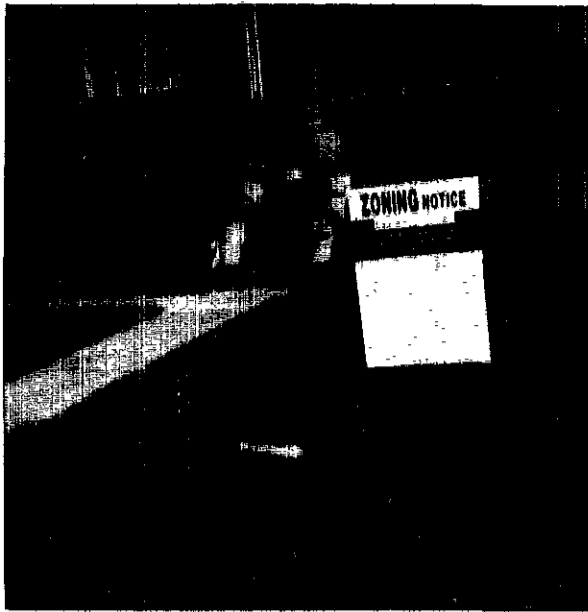
Address

Signature

1. Patricia G. Klapka 705 50th Patricia G. Klapka
2. Michael Lomagro 7308 FAIT AVE Michael Lomagro
3. ~~Mr. Esther Bishoff~~
4. Esther Bishoff 7900 fait ave Esther Bishoff
5. James W. Roney 7403 Fait Ave.
6. Charles L. Williams 7405 FAIT AVE.
7. Ric Horvath 706 50th St. Ric Horvath
8. Dennis Anthe Beyer 713 S 50th St Dennis Beyer
9. Mr. Mrs M. Ronschewitz 704-50th ST
10. Mrs P. Ronschewitz
11. Dorothy Ann Simms 707 S. 50th St. Dorothy Ann Simms
12. Dorothy H. Simms 707-S. 50th St Dorothy H. Simms
13. Mike Klosterich 7000 German Hall R D

14.

703 50th St



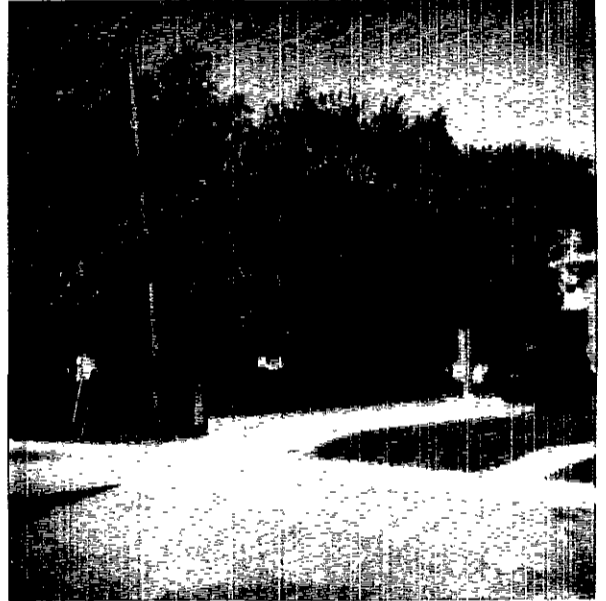
FRONT ELEVATION

703 50th St



FRONT / SOUTH ELEVATION

703 50th St



PROPERTY ADJACENT ON
NORTH SIDE

703 50th St



DOWN STREET SOUTH

703 50th St



PROPOSED LOCATION OF
CARPORT, VIEW FROM
ADJACENT PROPERTY.

10/20/11

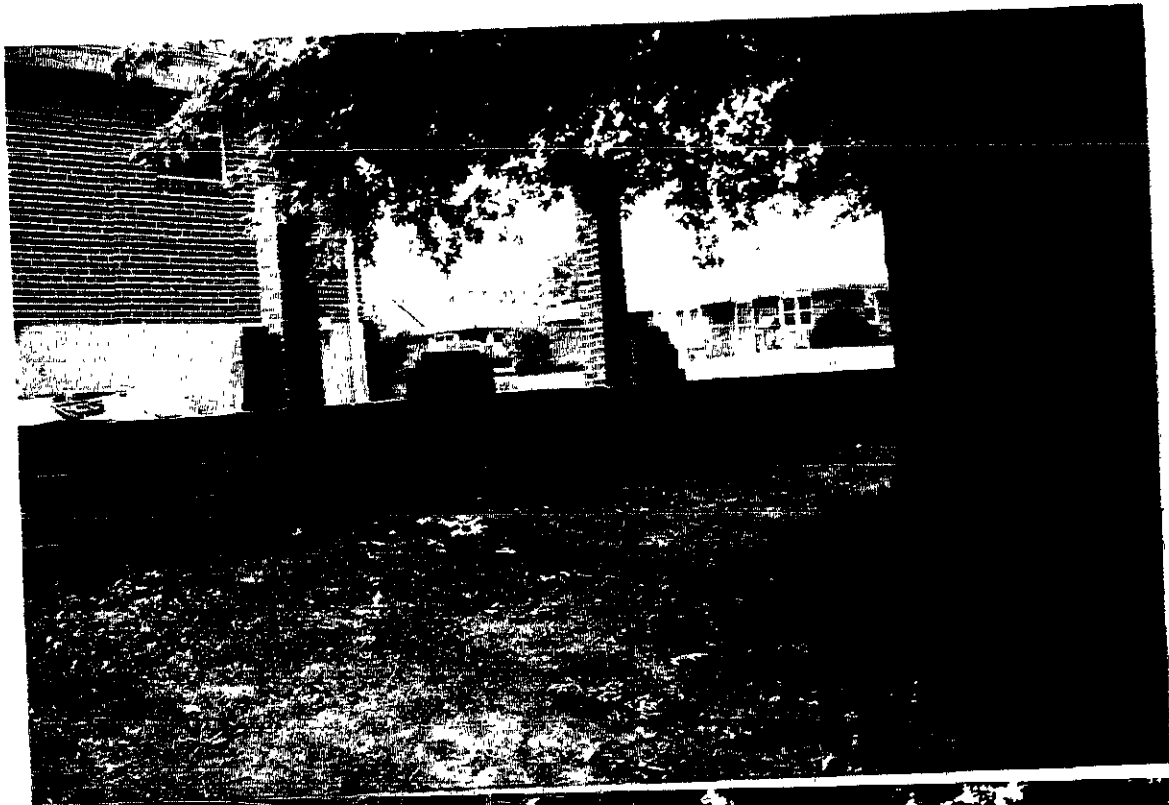
703 50th St.



PROPOSED LOCATION OF
CARPORT, VIEW FROM
REAR YARD.







IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S 50th Street, 145 ft. S * ZONING COMMISSIONER
of c/1 Falt Avenue *
703 Fiftieth Street * OF BALTIMORE COUNTY
12th Election District *
6th Councilmanic District * Case No. 96-152-A
George Roros, et ux *
Petitioners * *

MOTION FOR RECONSIDERATION

The above captioned matter comes before the Zoning Commissioner on a Motion for Reconsideration of the written opinion and Order issued on December 19, 1995. Originally, the Petition for Variance was submitted by George Roros and Nicoletta Roros, property owners, for the subject site known as 703 Fiftieth Street. Variance relief was requested from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft. By opinion and Order of December 19, 1995, the requested relief was granted. Within 30 days of the date of that Order a request for reconsideration was made by Kenneth and Linda Heffler, neighboring property owners at 7401 Falt Avenue. Their request for reconsideration, dated December 28, 1995, alleges that the 0 ft. setback was inappropriate and that the variance should be denied.

I have, again, reviewed the file including the photographs, exhibits and other evidence presented at the hearing. Moreover, I visited the site and inspected both properties. The site inspection shows that the Roros property is a well maintained lot featuring a single family dwelling and existing driveway. As stated in my original opinion and corroborated by my site visit, the proposed location for the carport is the only appropriate location.

Upon further consideration and evaluation, I am not persuaded to change the original Order. I continue to believe that variance relief should be granted and that the Petitioners have complied with the standards set forth

in Section 307 of the BCZR and the case law. Moreover, requiring gutters and downspouts to be located on the carport so as to capture and direct the flow of water away from the Hefflers' yard is appropriate. Construction in this fashion will eliminate any adverse affect on the neighbors' property. For these reasons, I decline to amend or change my original opinion, and same is hereby re-adopted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of March 1996, that a variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the remainder of the Zoning Commissioner's opinion and Order issued on December 19, 1995, be and is hereby ratified and affirmed.

Any appeal from this decision must be taken in accordance with the applicable provisions of law.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/19/96
By Ch. Dork
LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 15, 1996

Mr. and Mrs. Kenneth Heffler
7401 Falt Avenue
Baltimore, Maryland 21224

RE: Ruling on Motion for Reconsideration
Case No. 96-152-A
Property: 703 Fiftieth Street

Dear Mr. and Mrs. Heffler:

Enclosed please find a copy of my Ruling on Motion for Reconsideration rendered in the above captioned matter. The Motion for Reconsideration has been denied.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm

cc: Mr. and Mrs. George Roros
703 Fiftieth Street
Baltimore, Maryland 21224

cc: Mr. Steve Billis
2806 Munster Road
Baltimore, Maryland 21236

Printed with Soybean Ink
on Recycled Paper

ITN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S 50th Street, 145 ft. S * ZONING COMMISSIONER
of c/1 Falt Avenue *
703 Fiftieth Street * OF BALTIMORE COUNTY
12th Election District *
6th Councilmanic District * Case No. 96-152-A
George Roros, et ux *
Petitioners * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 703 Fiftieth Street in the Dundalk section of Baltimore County. The Petition is filed by George Roros and Nicoletta Roros, property owners. Variance relief is requested from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

This matter was originally filed as an administrative variance, pursuant to Section 26-127 of the Baltimore County Code. That section permits the Zoning Commissioner to grant variance relief from the strict application of the provisions of the Baltimore County Zoning Regulations without a public hearing for certain owner occupied residential lots. The subject property is residentially zoned (D.R.5.5) and is improved with an occupied single family dwelling. Thus, application was made by the property owners for residential variance relief. Following this application, the property was posted as required. Within the posting period, a request for public hearing was made by Kenneth and Linda Heffler, neighboring property owners at 7401 Falt Avenue. Thus, pursuant to the provisions of Section 26-127 of the Code, a public hearing was convened to consider this matter.

ORDER RECEIVED FOR FILING
Date 3/19/96
By Ch. Dork

Appearing at the requisite public hearing held for this case were the Petitioners/property owners. Appearing in support of the request were Steve Billis and George J. Moniodis. Appearing in opposition to the request were the aforementioned Kenneth and Linda Heffler.

Testimony and evidence submitted at the hearing disclosed that the subject property is .14 acres in area (6,250 sq. ft.) zoned D.R.5.5. This is a residential lot 50 ft. wide and 125 ft. in depth in Dundalk. The property is improved with a single family dwelling which is attractively maintained. Vehicular access to the site is by way of a concrete driveway.

The Petitioners propose constructing a carport adjacent to the dwelling over top of the existing driveway. The carport will be wide enough to accommodate a single vehicle and extend over the entire width of the driveway. In that the driveway abuts the property line, the requested variance is necessary.

The Petitioners indicated that the driveway was necessary because they are elderly and wish to avoid the inclement weather. It was indicated that the Petitioners are physically unable to clear their car of snow and ice and that the proposed carport will assist them in this regard.

Mr. and Mrs. Heffler, the Protestants, testified that the carport would be too close to their property. They reside at 7401 Falt Avenue. Their yard backs up to the Petitioners' property line and the carport will be situated along their real property line. Photographs submitted show that a retaining wall has been constructed along the rear property line and that the Hefflers' property slopes downward from the retaining wall. The Hefflers are also concerned about potential storm water runoff.

Based on the testimony and evidence submitted, I am persuaded to grant the Petition for Variance. Clearly the carport cannot be constructed elsewhere on the lot. Construction of a carport which within the

ORDER RECEIVED FOR FILING
Date 3/19/96
By Ch. Dork

-3-

required 7.5 ft. setback would be impractical and serve no purpose. I am persuaded that the Petitioners have satisfied the burden to obtain variance relief set forth in Section 307.1 of the BCZR.

Nonetheless, I am convinced that the variance relief should be conditioned to ensure that there will be no adverse impact on the neighbors' property. In this regard, I will require the Petitioners to install the appropriate storm drains and downspouts to collect and direct rain water away from the Hefflers' property. It appears from the photographs submitted that the water could be routed to the Petitioners' driveway and, therefrom, to Fiftieth Street and the public storm drain therein. All permits to be issued in connection with this shall so note this restriction and required adherence thereto.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of December, 1995 that a variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow an open projection (carport) with a setback of 0 ft. in lieu of the required 7.5 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
Date 3/19/96
By Ch. Dork

-4-

- The proposed carport shall be constructed with rain gutters and downspouts as are necessary to ensure collection and dispersion of water away from neighboring properties.
- The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
- When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/19/96
By Ch. Dork

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 18, 1995

Mr. and Mrs. George Roros
703 Fiftieth Street
Baltimore, Maryland 21224

RE: Case No. 96-152-A
Petition for Zoning Variance
Location: 703 Fiftieth Street

Dear Mr. and Mrs. Roros:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

cc: Mr. and Mrs. Kenneth Heffler, 7401 Falt Avenue, Balto.Md. 21224
cc: Mr. Steve Billis, 2806 Munster Road, Baltimore, Maryland 21236

Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 703 FIFTIETH ST
which is presently zoned D.R.S.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
SEC 1502.3.C.1. & 34.1.A TO ALLOW AN OPEN PROJECTION
(CARPORT) A SETBACK OF 0' IN LIEU OF THE REQUIRED 7.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty) WE ARE IN OUR LATE 60'S AND WITH PHYSICAL LIMITATIONS ACCOMPANYING AGE MATURITY. THE REASON FOR THE VARIANCE IS TO ENABLE US TO BUILD A 12X43 CARPORT. THIS WILL ALLOW US TO ACCESS OUR DRIVEWAY DURING INCLEMENT WEATHER, SUCH AS A SNOW STORM. IN THE PAST A SNOW STORM WOULD IMMOBILIZE US FOR MONTHS AT A TIME.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
GEORGE ROROS
(Type or Print Name)
[Signature]
(Type or Print Name)
NICOLETTA ROROS
(Type or Print Name)
[Signature]
(Type or Print Name)
Nicoletta Roros
(Type or Print Name)

Address:
703 FIFTIETH ST. 282-4851
BALTO. MD 21224
City, State, Zip Code
Steve Bilis
Name
2806 MUNSTER RD. 661-7813
Address
City, State, Zip Code

A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that this subject matter of this petition be set for a public hearing, advertisement, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: CAN DATE: 1304/95
ESTIMATED POSTING DATE: 10.22.95
Printed with Soybean Ink on Recycled Paper
ITEM # 160

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does not presently reside at 703 FIFTIETH ST
BALTIMORE MD 21224

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (please describe in detail)
WE ARE IN OUR LATE 60'S & WITH PHYSICAL LIMITATIONS ACCOMPANYING AGE MATURITY. THE REASON FOR THE VARIANCE IS TO ENABLE US TO BUILD A 12X43 CARPORT. THIS WILL ALLOW US TO ACCESS OUR DRIVEWAY DURING INCLEMENT WEATHER, SUCH AS A SNOW STORM. IN THE PAST A SNOW STORM WOULD IMMOBILIZE US FOR MONTHS AT A TIME.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature] Nicoletta Roros
GEORGE ROROS NICOLETTA ROROS
(Type or Print Name) (Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of OCTOBER, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

GEORGE ROROS & NICOLETTA ROROS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

10/5/95 [Signature]
DATE NOTARY PUBLIC

My Commission Expires: 9/14/95

ZONING DESCRIPTION FOR 703 FIFTIETH ST.
BALTO. MD 21224.

BEGINNING AT A POINT ON THE EAST SIDE OF FIFTIETH ST. WHICH IS 145' FEET WIDE AT THE DISTANCE 150 FEET SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET FAIT AVE. WHICH IS 40 FEET WIDE.

BEING LOT # 368/9 BLOCK 6, SECTION # 4. IN THE SUBDIVISION OF GRACELAND PARK AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # FOLIO # 122, CONTAINING 6,250 SQ. FT.

ALSO KNOWN AS 703 FIFTIETH ST AND LOCATED IN THE 12 ELECTION DISTRICT, 6 COUNCILMANIC DISTRICT.

160

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12th Date of Posting: 10/22/95
Posted for: [Signature]
Petitioner: George & Nicole Roros
Location of property: 703 50th St
Location of Sign: Facing the subject property being posted
Remarks:
Posted by: [Signature] Date of return: 12/1/95
Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed petition for a Variance from Section(s) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty) WE ARE IN OUR LATE 60'S AND WITH PHYSICAL LIMITATIONS ACCOMPANYING AGE MATURITY. THE REASON FOR THE VARIANCE IS TO ENABLE US TO BUILD A 12X43 CARPORT. THIS WILL ALLOW US TO ACCESS OUR DRIVEWAY DURING INCLEMENT WEATHER, SUCH AS A SNOW STORM. IN THE PAST A SNOW STORM WOULD IMMOBILIZE US FOR MONTHS AT A TIME.

Case #95-152-A (Item 160)

703 Fiftieth Street

Baltimore, MD 21224

12th Election District

Legal Owner(s):

George Roros and Nicoletta Roros

Hearing: Monday, December 11, 1995 at 9:30 a.m. in Room 118, Old Courthouse.

Variance: to allow an open projection (carport) a setback of zero feet in lieu of the required 7.5 feet.

NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

11051 Nov. 30. 419501

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/1, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/30, 1995.

THE JEFFERSONIAN,

A. Hennison
LEGAL AD. - TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 160 Petitioner: George & Nicoletta Roros
Location: 703 FIFTIETH STREET

PLEASE FORWARD ADVERTISING BILL TO:

NAME: GEORGE ROROS
ADDRESS: 703 FIFTIETH ST
BALTIMORE, MD 21224
PHONE NUMBER: 282-4851

Printed with Soybean Ink on Recycled Paper

19

TO: PUTNEM PUBLISHING COMPANY
November 30, 1995 Issue - Jeffersonian

Please forward billing to:

George and Nicoletta Roros
703 Fiftieth Street
Baltimore, MD 21224
282-4851

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-152-A (Item 160)

703 Fiftieth Street
5/5 50th Street, 145' S of c/1 Fait
12th Election District - 6th Councilmanic
Legal Owner: George Roros and Nicoletta Roros

Variance to allow an open projection (carport) a setback of zero feet in lieu of the required 7.5 feet.

HEARING: MONDAY, DECEMBER 11, 1995 at 9:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 21, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-152-A (Item 160)

703 Fiftieth Street
5/5 50th Street, 145' S of c/1 Fait
12th Election District - 6th Councilmanic
Legal Owner: George Roros and Nicoletta Roros

Variance to allow an open projection (carport) a setback of zero feet in lieu of the required 7.5 feet.

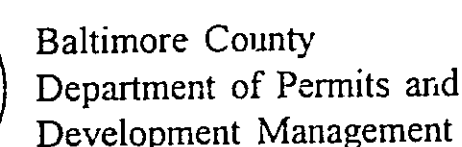
HEARING: MONDAY, DECEMBER 11, 1995 at 9:30 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc:

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink on Recycled Paper



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 27, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-152-A (Item 160)
703 Fiftieth Street
E/S 50th Street, 145' S of c/l Pait
12th Election District - 6th Councilmanic
Legal Owner: George Roros and Nicoletta Roros

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before October 22, 1995. The closing date (November 6, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: George and Nicoletta Roros
Steve Bilis

Baltimore County Zoning Commissioner
400 Washington Ave.
Towson, Md. 21204
Attn: Mr. Schmidt
Case # 96-152-A

December 28, 1995

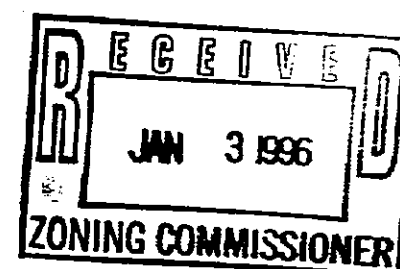
Dear Mr. Schmidt,

We are sending this letter to ask you to reconsider your decision on the variance. We know that the required 7.5 feet would make it impossible for the Roros to build their carport however we feel that a 0 setback is too close. As property owners ourselves we want a compromise of 1 1/2 to 2ft., we feel this is needed to protect our property from water damage, overhang into our yard and intrusion on us. When the law is 7.5 ft we feel it unfair that a 0 setback is given. Obviously the law felt it necessary for reason of protecting property owners and we are also property owners that should be able to have their needs met. We do not object to the Roros having their carport however we do object to a 0 setback..We really do not wish to upset the Roros, we are sure that if properties were reversed they would feel the same way. We hope that you will reconsider this matter and protect our property rights also. Thank you for your time.

Sincerely,

Sincerely,
Mr & Mrs. Haffner

Mr. & Mrs. Heffler
7401 Fait Ave.
Baltimore, Md. 21224



[Handwritten signature]

Date _____ Time _____

AM
PM

WHILE YOU WERE OUT

M of *Mr. J. G. Miller*

Phone () *872-5553*

Area Code _____ Number _____ Extension _____


TELEPHONED _____	PLEASE CALL _____
CALLED TO SEE YOU _____	WILL CALL AGF IN _____
WANTS TO SEE YOU _____	URGENT _____

[RETURNED YOUR CALL]

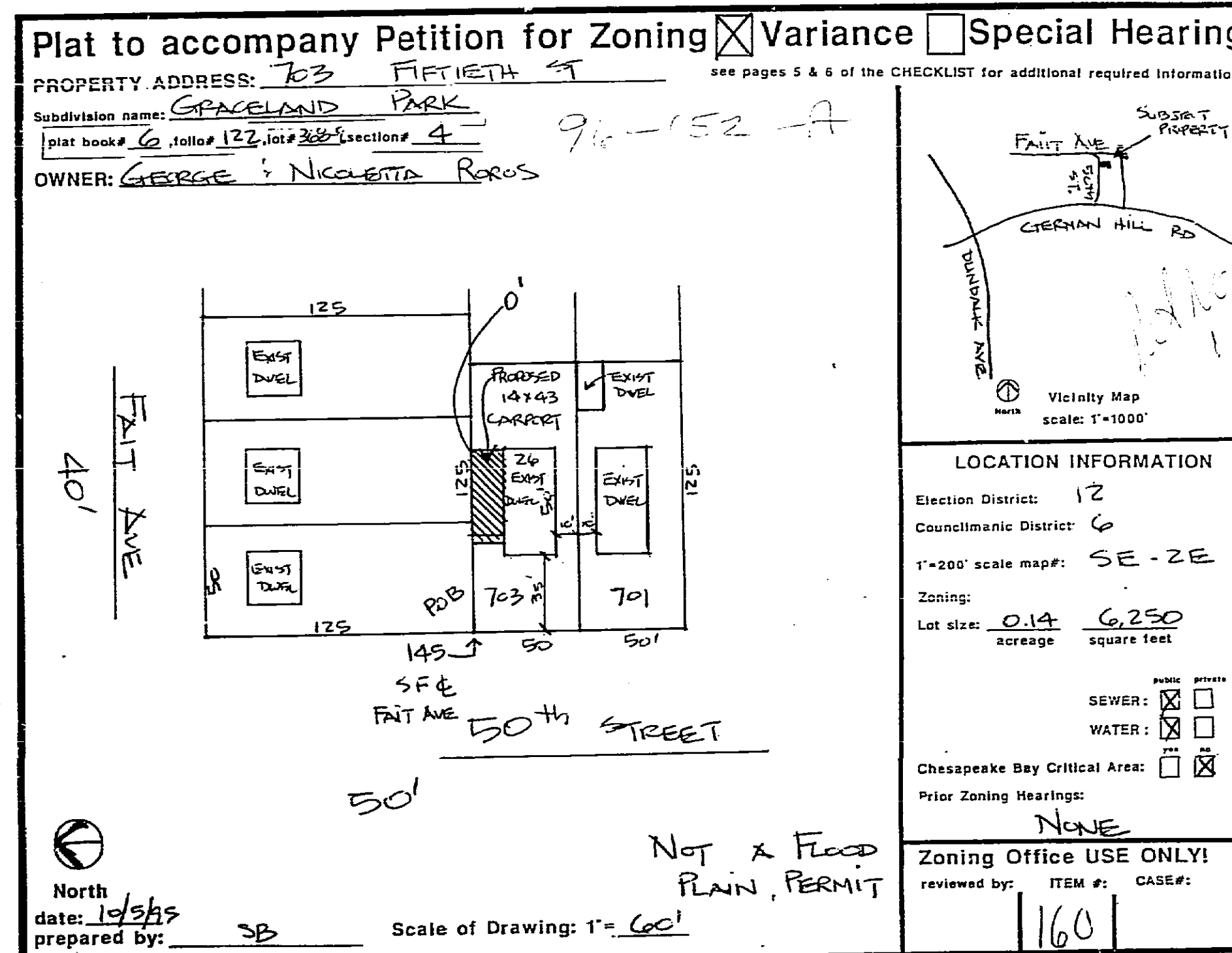
Message *Case # 96-152-A*

No. pleasing

Operator _____

 AMPAD EFFICIENCY™
— THE WORLD'S MOST VERSATILE —

RECORDS



PLEASE PRINT CLEARLY

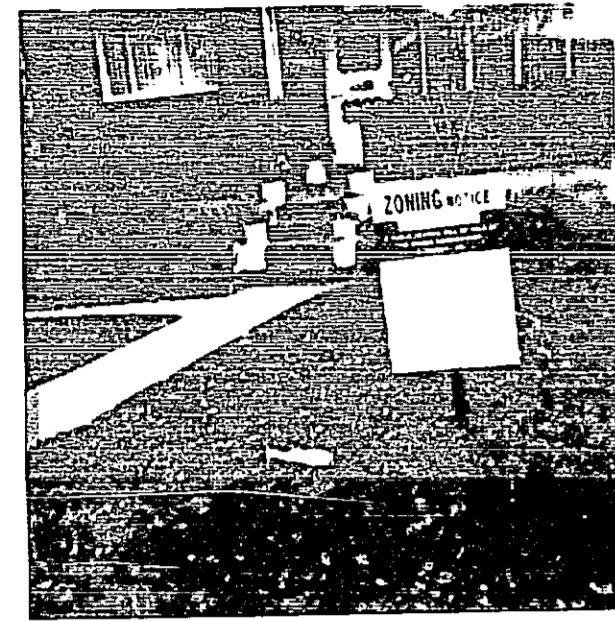
PROTESTANT(S) SIGN-IN SHEET

[illegible]

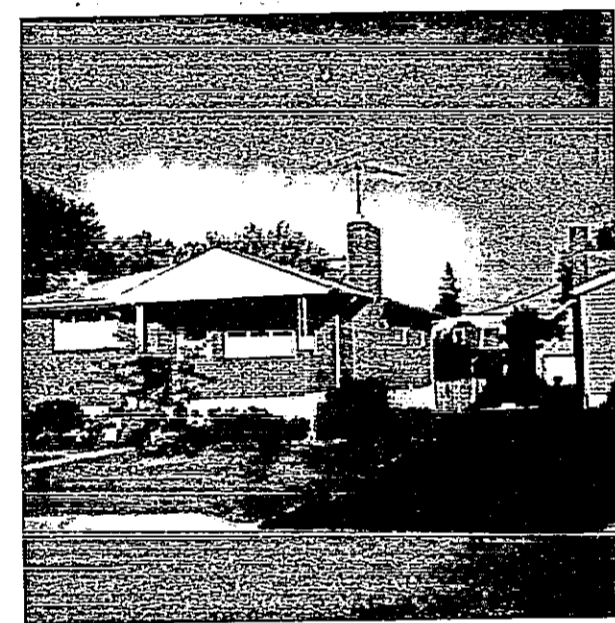
WE THE UNDERSIGNED DO NOT OBJECT TO THE CONSTRUCTION OF A 14' X 43' OPEN CARPORT, TO BE CONSTRUCTED AT 703 FIFTIETH STREET, BALTIMORE, MD 21224, EXTENDING NORTH 14' FROM THE EXISTING HOUSE TO THE PROPERTY LINE AS SHOWN ON THE PLAT PLAN ATTACHED.

Name	Address	Signature
------	---------	-----------

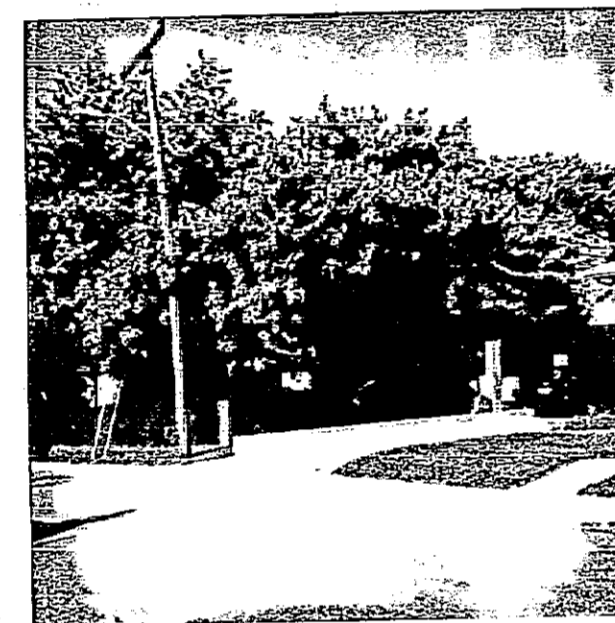
- 1. Patricia G. Kiska 705 50th Patricia G. Kiska
- 2. Michael Longmuir 7308 FAIR AVE Michael Longmuir
- 3. Ann Esther Bishoff Ann Esther Bishoff
- 4. Esther Bishoff 7900 Fair Ave
- 5. John W. Roney 7403 Fair Ave.
- 6. Charles L. Williams 7405 FAIR AVE.
- 7. Ric Horvath 706 50th St. Ric Horvath
- 8. Dennis Antle Boyer 713 50th St Dennis Boyer
- 9. Mrs. Mrs. M. Benedicta Jones
- 10. Mrs. P. Benedicta Jones 704-50th ST
- 11. Dorothy Ann Simms 709 S. 50th St Dorothy Ann Simms
- 12. Dorothy H. Simms 707 S. 50th St Dorothy H. Simms
- 13. Mike Klesterich 7000 Germantown Rd



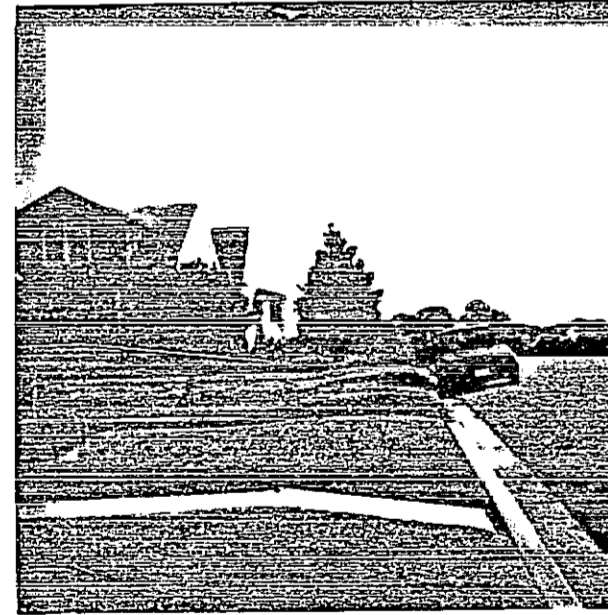
FRONT ELEVATION



FRONT/SOUTH ELEVATION



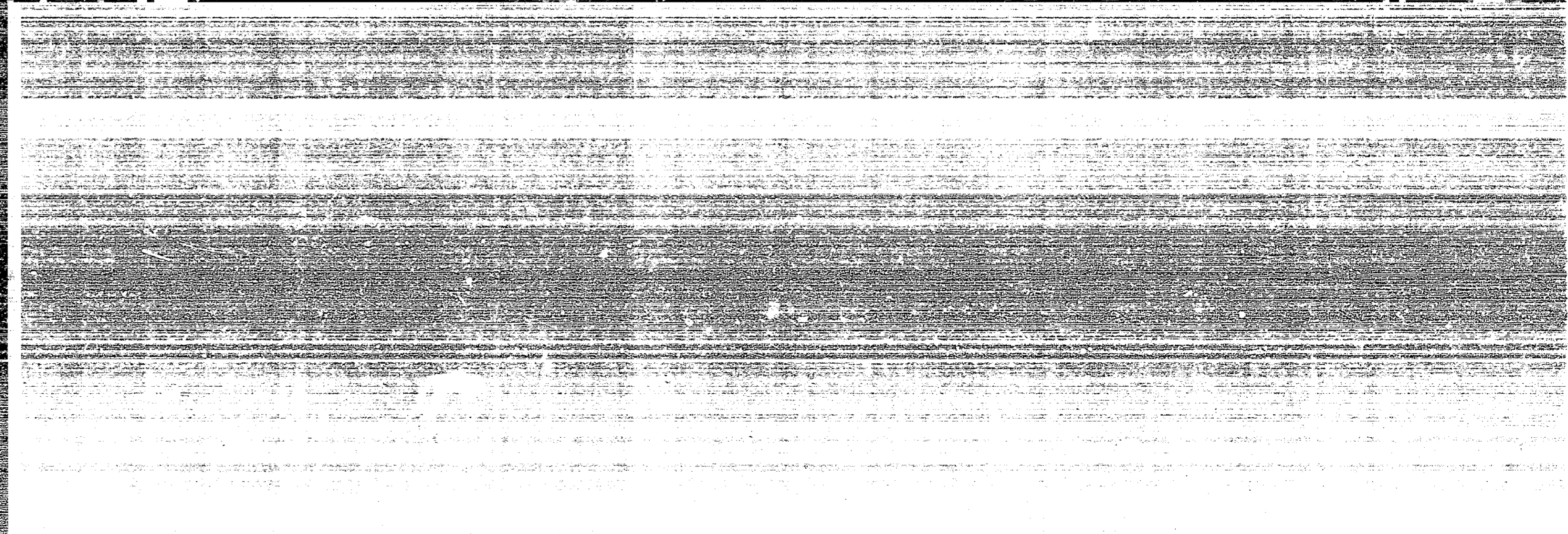
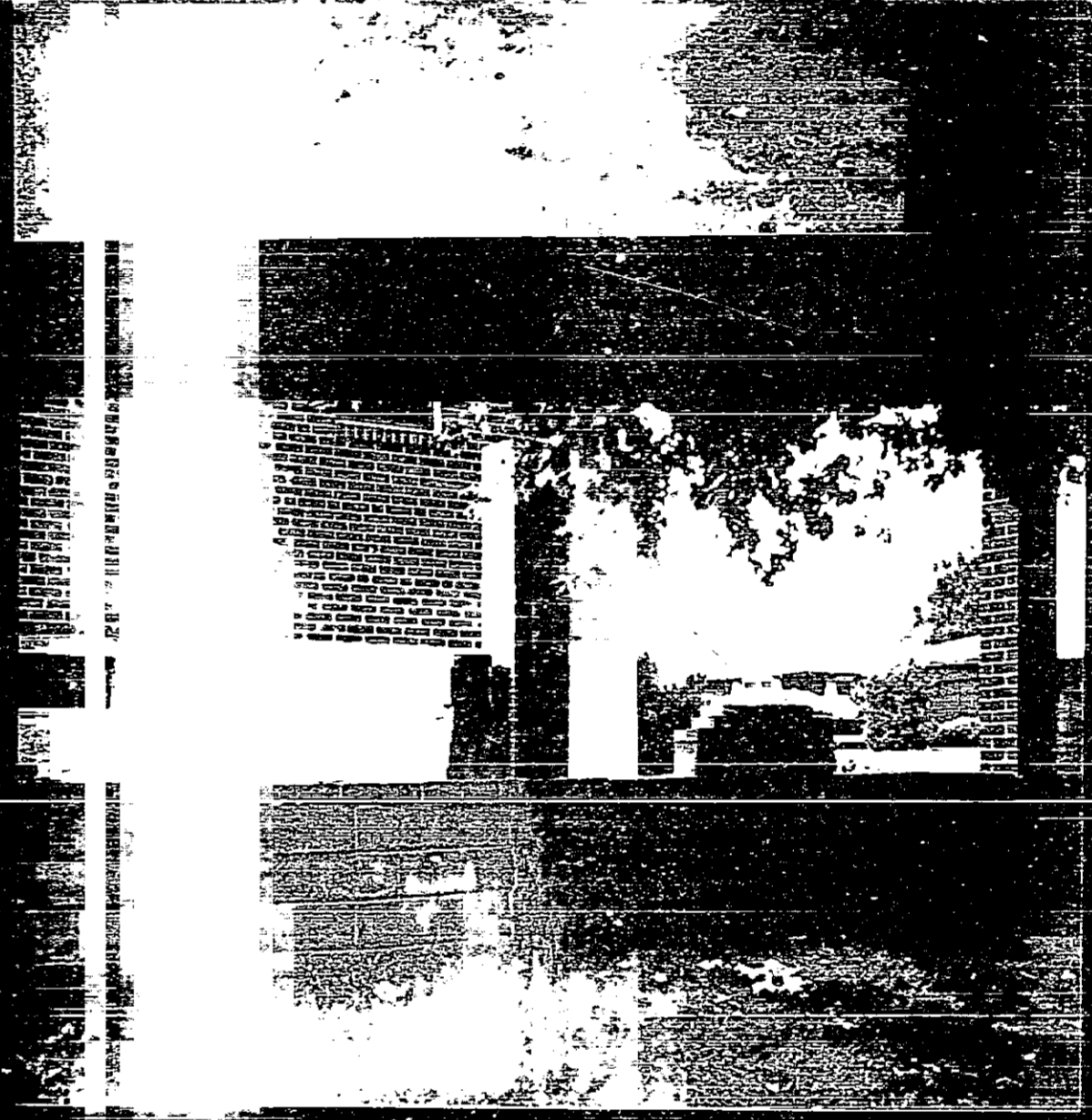
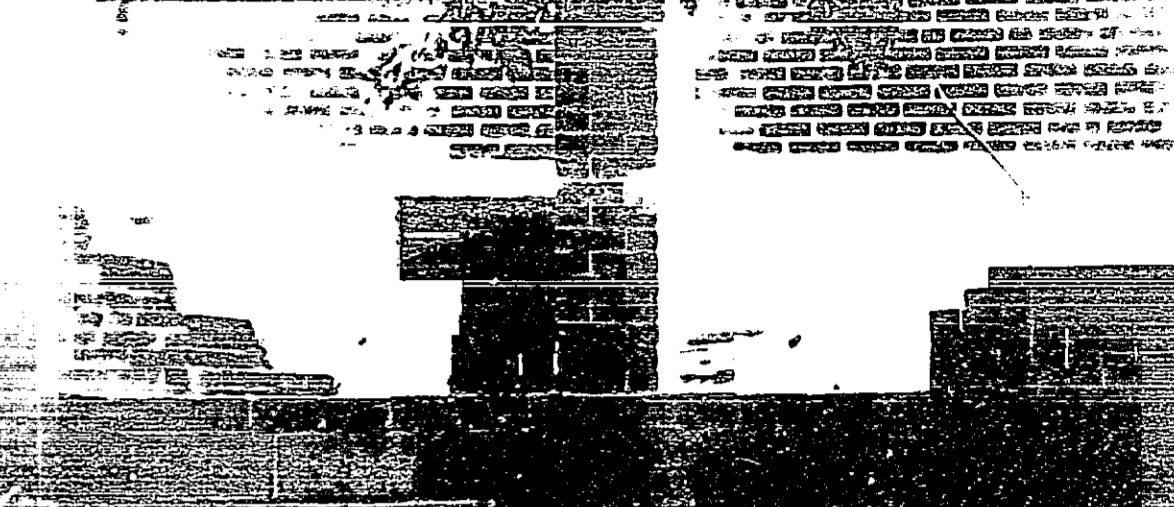
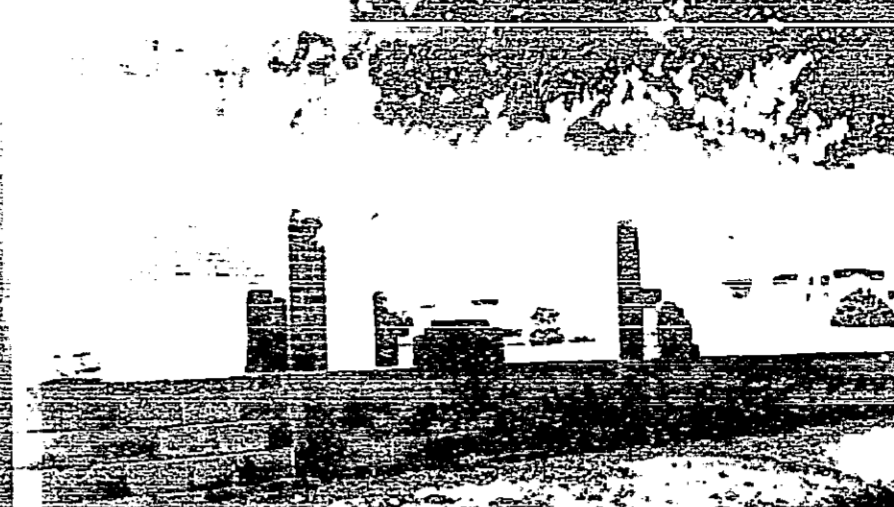
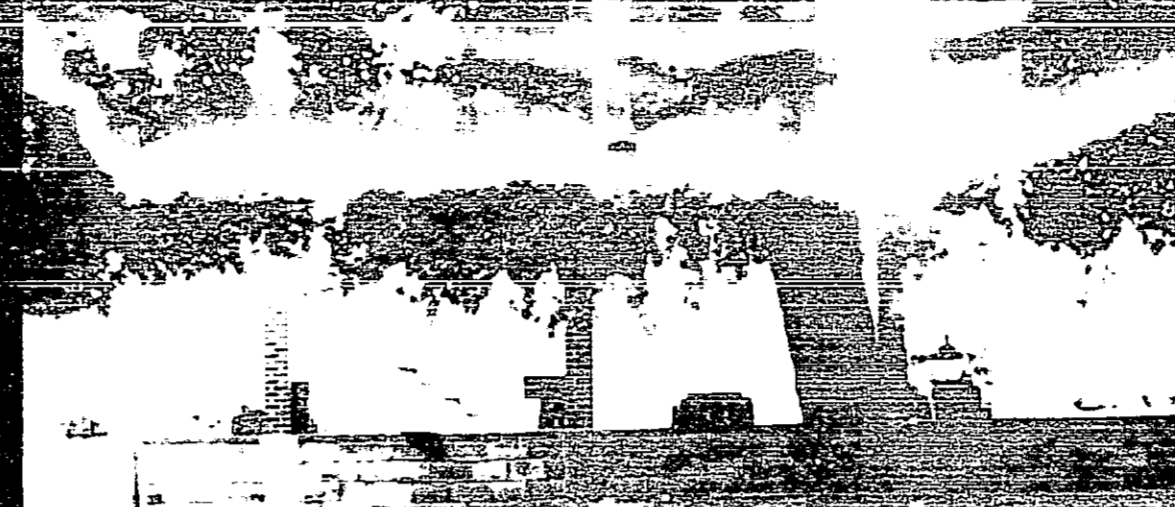
PROPERTY ADJACENT ON NORTH SIDE



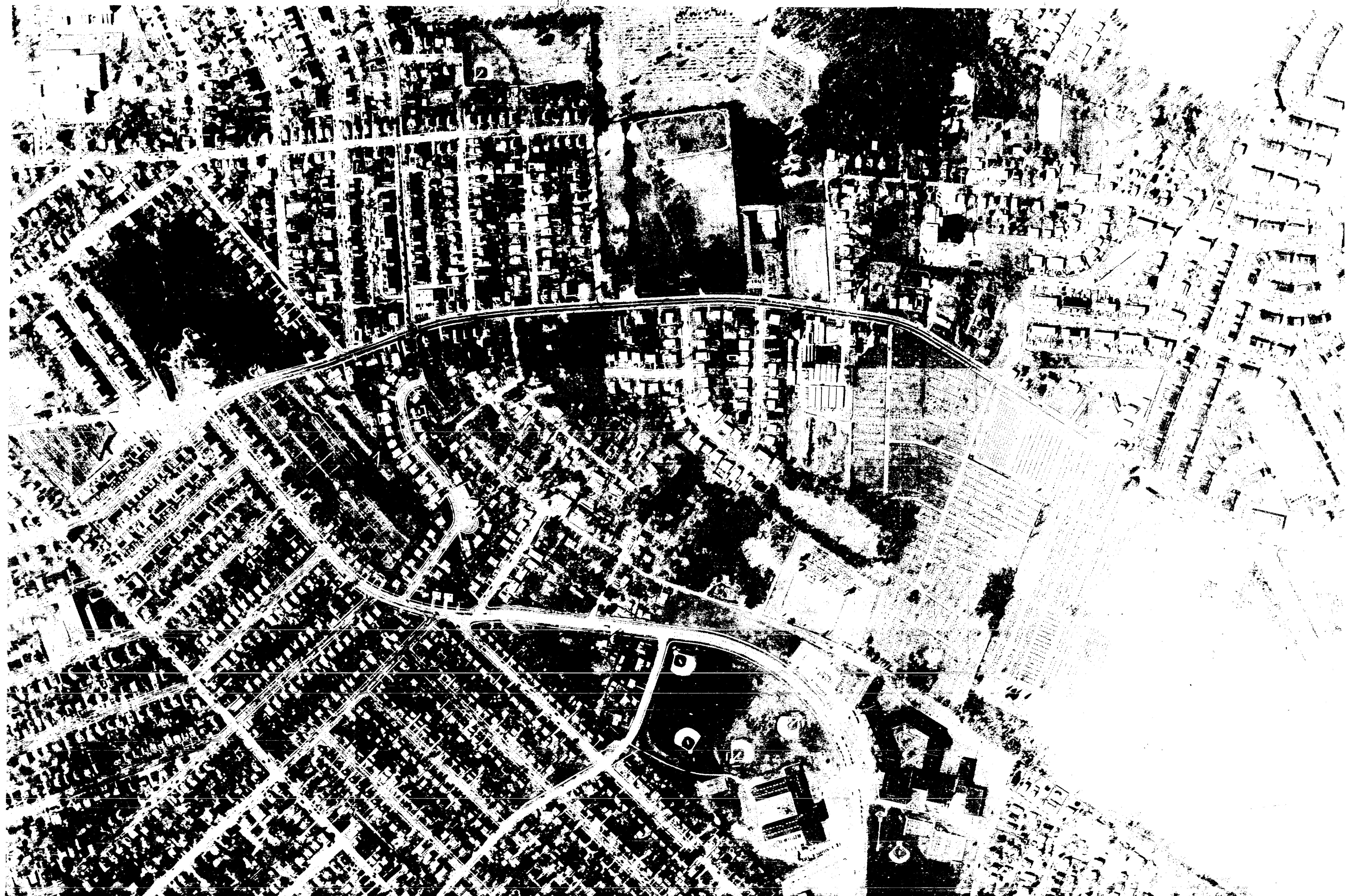
PROPOSED LOCATION OF CARPORT, VIEW FROM ADJACENT PROPERTY



PROPOSED LOCATION OF CARPORT, VIEW FROM REAR YARD



96-152-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1966

NORTH POINT

S. E.
2-E